

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

APRIL 1, 2009

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

***CLOSED SESSION – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.***

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Manager

REGULAR MEETING CALL TO ORDER

CITY ATTORNEY LOUGH announced that due to a lack of quorum, the Closed Session meeting was not held.

MAYOR PRO TEM BRAGG called the Regular Meeting to order at 6:30 p.m.

ROLL CALL

| | |
|-------------------------|-------------------------------|
| Councilmembers present: | McCoy, King, McLean |
| Councilmembers absent: | None |
| Mayor present: | Janney (arrived at 6:51 p.m.) |
| Mayor Pro Tem present: | Bragg |

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| Staff present: | City Manager Brown; City Attorney Lough; City Clerk Hald |
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PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/ REPORTS ON ASSIGNMENTS AND COMMITTEES

COUNCILMEMBER MCCOY spoke about an article that appeared in Sunset Magazine regarding how to raise chickens; she received a letter requesting support of Lesbian, Gay, Bisexual and Transgender Pride Month; and she announced that there will be an increase in water fees based on a tiered system, which is equitable compared to other water districts that have more complex methods.

COUNCILMEMBER KING announced he had ex parte communications with John Haupt of Woodie's Waterfront Patio Bar (above the Beach Club Grille) regarding collection of water off the roof, future improvement plans, and placement of a roof over the second story deck; he reported on the SANDAG Transportation Committee Meeting and noted that MTS will be raising rates and cutting routes; he and other members suggested that SANDAG look at other sources of funding to supplement MTS to keep routes available and rates down due to the burden on those of a limited income; he announced Wildcoast, in conjunction with SDSU and the I.B. Health Center, offered vaccinations against hepatitis A for uninsured surfers.

COUNCILMEMBER MCLEAN announced the State of California cut \$14 million from MTS' budget and therefore it was necessary to reduce services and raise the rates in order to balance the budget; SANDAG is holding public hearings on April 15 and 17 to address public concerns; he reported on the recent shooting incident that took place at MTS and at a recent meeting Jerry Rindone made the motion to have the Blue Line rehabilitated in fiscal year 2010; he attended a groundbreaking event at Chula Vista High School for the first major building project funded by Proposition O; he attended the local school district performance of "The Emperor's New Clothes"; the South Bay Education Foundation raised \$3,300 allowing children in the surrounding schools to be bused in to watch the performance; Diane Rose spoke at the Chamber Breakfast about the South County Career Center; and he announced Imperial Beach will be featured on the KPBS show, "Wonderland" tonight at 8:00 p.m.

COUNCILMEMBER MCCOY announced MAYOR JANNEY will arrive shortly as he and other elected officials were in a meeting with Janet Napolitano, U.S. Homeland Security Secretary, to discuss the proposed changes to the San Ysidro point of entry.

COUNCILMEMBER MCLEAN provided City Council with copies of MTS' accomplishments and announced the Bayshore Bikeway ribbon cutting is scheduled for April 18.

MAYOR JANNEY arrived at 6:51 p.m.

COMMUNICATIONS FROM CITY STAFF

CITY MANAGER BROWN announced a City Council Workshop meeting will be held on April 8 at 6:00 p.m.

PUBLIC COMMENT

JOHN CARR expressed concern about the City restricting the Kragen Auto Parts store (a former I.B. business) from opening their front doors to only using the back doors and questioned if the next tenant would be required to do the same; he questioned if there were interest in allowing bed & breakfasts in the City especially in residential zones; and questioned if Councilmember McCoy were a U.S. citizen.

ED KRAVITZ announced he moved back to Imperial Beach; he requested City Council meetings be broadcasted; he expressed concern about the condition of Miracle Shopping Center; and he suggested that the City adjust its calendar in order to publicize City Council meeting agendas in the I.B. Eagle newspaper prior to City Council meetings.

PRESENTATIONS (1.1)

None.

CONSENT CALENDAR (2.1 - 2.6)

MOTION BY MCCOY, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.6. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the regular City Council meeting of February 4 and the regular Workshop Meeting of February 10, 2009.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 68306 through 68415 with the subtotal amount of \$481,378.96; and Payroll Checks 40842 through 40890 for the pay period ending 03/12/09 with the subtotal amount of \$149,120.14; for a total amount of \$630,499.10.

2.3 RESOLUTION NO. 2009-6725 – AUTHORIZING THE APPROVAL OF THE ENGINEER’S REPORT FOR PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN A SPECIAL ASSESSMENT DISTRICT – AD 67M. (0345-10)

Adopted resolution.

2.4 RESOLUTION NO. 2009-6726 – DECLARING INTENT TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN A SPECIAL ASSESSMENT DISTRICT (AD 67M), AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON. (0345-10)

Adopted resolution.

2.5 RESOLUTION NO. R-09-176 – DECLARING THAT PLANNING AND ADMINISTRATIVE EXPENSES ARE NECESSARY FOR THE PRODUCTION, IMPROVEMENT, OR PRESERVATION OF LOW AND MODERATE-INCOME HOUSING DURING THE FISCAL YEAR 2009/2010. (0640-05)

Adopted resolution.

2.6 RESOLUTION NO. R-09-177 – AUTHORIZING A CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) COMMUNITY-BASED TRANSPORTATION PLANNING GRANT APPLICATION FOR THE PALM AVENUE COMMERCIAL CORRIDOR MASTER PLAN. (0150-30 & 0390-86)

Adopted resolution.

ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3)

None.

ORDINANCES – SECOND READING & ADOPTION/PUBLIC HEARING (4.1)

4.1 ORDINANCE NO. 2009-1083 – AN ORDINANCE ADDING CHAPTER 2.24 OF THE IMPERIAL BEACH MUNICIPAL CODE (TIDELANDS ADVISORY COMMITTEE) AND CHANGING THE NUMBER OF MEMBERS OF THE TIDELANDS ADVISORY COMMITTEE. (0120-90)

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2009-1083.

CITY CLERK HALD read the title of Ordinance No. 2009-1083, "An ordinance of the City Council of the City of Imperial Beach, California, adding Chapter 2.24 of the Imperial Beach Municipal Code (Tidelands Advisory Committee) and changing the number of members of the Tidelands Advisory Committee."

MOTION BY MCLEAN, SECOND BY BRAGG, TO DISPENSE THE SECOND READING AND ADOPT ORDINANCE NO. 2009-1083 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (5.1 - 5.2)

5.1 RESOLUTION NO. 2009-6724 – ADJUSTING A REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PLAN (RTCIP) FEE FOR FISCAL YEAR 2009/2010. (0680-95)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item and announced the RTCIP fee will increase from \$2,000 to \$2,040.

PUBLIC WORKS DIRECTOR LEVIEN reported the approved project is for pedestrian, bicycle, and vehicle enhancements along Highway 75 between 7th and 9th Streets; the amount collected thus far is \$4,000.

CITY ATTORNEY LOUGH announced that usually the City conducts its own fee studies; in this case SANDAG conducted the study for the entire county and applied the amount presented tonight; if City Council does not approve the fee, the City would have to pay fees for any new project out of the City's General Fund.

No speaker slips were submitted.

MAYOR JANNEY closed the public hearing.

MOTION BY MCCOY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2009-6724 – ADJUSTING A REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PLAN (RTCIP) FEE FOR FISCAL YEAR 2009-2010. MOTION CARRIED UNANIMOUSLY.

5.2 IMPERIAL BEACH BICYCLE TRANSPORTATION PLAN (BTP); AMENDMENT TO THE CIRCULATION ELEMENT OF THE GENERAL PLAN/LOCAL COASTAL PLAN (LCPA/GPA 080053)/ CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH#2007101061)/ ADOPTION OF THE BTP/ COASTAL DEVELOPMENT PERMIT (ACP 080054)/ AND DESIGN REVIEW CASE (DRC 080055). MF 934. (0680-20 & 0750-90)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item

RYAN ZELLERS, of KOA Associates (formerly known as Katz, Okitsu and Associates), gave a PowerPoint presentation on the item; he stated that comments regarding the Eco Bikeway Palm Avenue project, the BTP, and the LCP were included in the plan, as were final modifications regarding global warming and corrective text within the BTP; he reviewed the background, project scope, design features, and proposed designs; he noted that the new BTP would open the doors for grants and funding for bicycle facilities, with regard to the Final Environmental Impact Report, Mitigation Monitoring and Reporting Program were not required because no significant environmental impacts were identified, and the approval of the FEIR signifies the acceptance of the document and of the analysis of the project.

CITY CLERK HALD announced no speaker slips were submitted.

In response to questions regarding the area of parking along 3rd Street and 5th Street, COMMUNITY DEVELOPMENT DIRECTOR WADE stated it would provide for additional parking for the Old Palm Avenue area and serve as guest parking for the large apartment buildings in the area; he also stressed that maximizing public parking resources benefits the City in getting projects approved through the Coastal Commission.

In response to concerns of City Council regarding the bicycle route being impacted by the parking spaces between 3rd and 5th Streets, CITY MANAGER BROWN requested direction as to provide parking or not since the design will be based on what has been presented.

MAYOR JANNEY stressed the need for guidance so staff and consultants can determine whether or not to eliminate parking.

Council commented that what is being proposed is better than what currently exists, and that there could not be a Class 1 bike path along this strip.

MR. ZELLERS stated that MTS is aware of the project and will relocate bus stops in areas that make more sense if there are opportunities; he also stated that the proposed bike lane would be six feet wide, which is on the high end of the average widths of a bike lane.

MAYOR JANNEY closed the public hearing.

MOTION BY MCLEAN, SECOND BY KING, TO ADOPT RESOLUTION NOS. 2009-6727 – AMENDING THE CIRCULATION ELEMENT OF THE GENERAL PLAN/LOCAL COASTAL PROGRAM (GPA 080053/LCPA 080053) TO ACCOMMODATE THE ADOPTION OF THE IMPERIAL BEACH BICYCLE TRANSPORTATION PLAN (BTP). MF 934. MOTION CARRIED UNANIMOUSLY.

MOTION BY MCCOY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2009-6728 – ADOPTING THE IMPERIAL BEACH BICYCLE TRANSPORTATION PLAN (BTP). MF 934. MOTION CARRIED UNANIMOUSLY.

MOTION BY MCCOY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2009-6729 – APPROVING ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (ACP 080054) AND DESIGN REVIEW CASE (DRC 080055) FOR THE ECOROUTE BIKEWAYS/TRAFFIC CALMING PROJECT. MF 934. MOTION CARRIED BY THE FOLLOWING VOTE:

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|----------------|------------------------|------------------------------------|
| AYES: | COUNCILMEMBERS: | MCCOY, KING, MCLEAN, JANNEY |
| NOES: | COUNCILMEMBERS: | BRAGG |
| ABSENT: | COUNCILMEMBERS: | NONE |

MAYOR PRO TEM BRAGG stated that her standing position has been in opposition to this project.

REPORTS (6.1 - 6.4)

6.1 RESOLUTION NO. 2009-6732 – ADOPTING THE \$27,042,583 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS BUDGET FOR FISCAL YEARS 2009/2010 THROUGH 2013/2014. (0330-35)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item.

In response to Council's concerns regarding condition of the restrooms at Sports Park, ASSISTANT CITY MANAGER RITTER stated that the facilities function properly; he will look into the maintenance and cleanliness concerns; and will return to City Council with the contract for maintaining the Sports Park.

MAYOR JANNEY requested staff return with an explanation of bond debt and the bonding process.

MOTION BY MCCOY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2009-6732 – ADOPTING THE \$27,042,583 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS BUDGET FOR FISCAL YEARS 2009/2010 THROUGH 2013/2014; TO ESTABLISH OCTOBER AS THE MONTH FOR ANNUAL REVIEW OF THE FIVE-YEAR CIP BUDGET; AND TO AFFIRM THAT THE INCOMPLETE AND ONGOING PROJECTS IN THE FIVE-YEAR CIP BUDGET FOR FISCAL YEAR 2004/2005 THROUGH FISCAL YEAR 2008/2009 REMAIN FUNDED AND ACTIONABLE PROJECTS FOR STAFF TO CONTINUE TO COMPLETE OR CONSTRUCT UNLESS OTHERWISE DIRECTED VIA RESOLUTION OR OTHER COUNCIL APPROVAL/DIRECTION. MOTION CARRIED UNANIMOUSLY.

6.2 RESOLUTION NO. 2009-6731 – APPROVING THE SEWER SYSTEM MANAGEMENT PLAN ELEMENTS – DESIGN AND PERFORMANCE PROVISIONS, SYSTEM EVALUATION AND CAPACITY ASSURANCE PLAN, MONITORING MEASUREMENT AND PROGRAM MODIFICATIONS, PROGRAM AUDITS, AND COMMUNICATION PROGRAM ELEMENTS – IN ACCORDANCE WITH THE STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003-DWQ “STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS.” (0830-95)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item.

MOTION BY MCLEAN, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2009-6731 – APPROVING THE SEWER SYSTEM MANAGEMENT PLAN ELEMENTS –DESIGN AND PERFORMANCE PROVISIONS, SYSTEM EVALUATION AND CAPACITY ASSURANCE PLAN, MONITORING MEASUREMENT AND PROGRAM MODIFICATIONS, PROGRAM AUDITS, AND COMMUNICATION PROGRAM ELEMENTS – IN ACCORDANCE WITH THE STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003-DWQ “STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS.” MOTION CARRIED UNANIMOUSLY.

6.3 SHERIFF’S STAFFING. (0260-10)

CITY MANAGER BROWN worked together with Public Safety Director Sotelo and Sheriff’s Captain Miller to save \$155,000 by proposing the elimination of one motorcycle deputy position; and announced Attachment B to the Sheriff’s agreement was submitted as last minute agenda information.

City Council expressed concern about reducing law enforcement staffing and the need to reduce general fund expenditures; a suggestion was made to examine crime statistics at the end of the next fiscal year to see if the incidence of crimes increase.

MOTION BY KING, SECOND BY MCLEAN, TO AUTHORIZE DELETING THE DEPUTY MOTORCYCLE POSITION FROM THE NEXT AND SUCCEEDING FISCAL YEARS’ BUDGETS. MOTION CARRIED UNANIMOUSLY.

6.4 RESOLUTION NO. 2009-6730 – ESTABLISHING COUNCIL POLICY NO. 419: TICKET DISTRIBUTION POLICY TO CONFORM WITH CALIFORNIA CODE OF REGULATIONS, SECTION 18944.1, AS AMENDED BY THE FAIR POLITICAL PRACTICES COMMISSION. (0420-87 & 0420-95)

CITY MANAGER BROWN introduced the item.

CITY ATTORNEY LOUGH gave a report on the item.

MOTION BY MCLEAN, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2009-6730 – ESTABLISHING COUNCIL POLICY NO. 419: TICKET DISTRIBUTION POLICY TO CONFORM WITH CALIFORNIA CODE OF REGULATIONS, SECTION 18944.1, AS AMENDED BY THE FAIR POLITICAL PRACTICES COMMISSION. MOTION CARRIED UNANIMOUSLY.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

None.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 9:27 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk